

Town Board Minutes

**Meeting
No. 24**

Special Meeting

July 15, 2002

Town Board Minutes

July 15, 2002

Meeting No. 24

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 15th day of July 2002, at 6:30 PM and there were

PRESENT:

ROBERT GIZA, SUPERVISOR
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
RICHARD ZARBO, COUNCIL MEMBER*
JOHN GOBER, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MICHAEL MYSZKA, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER

ABSENT:

REBECCA ANDERSON, PLANNING BOARD MEMBER

ALSO PRESENT:

JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER

* Arrived at 6:40 P.M.

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for the purpose of one (1) action.

**IN THE MATTER OF THE SEQR REVIEW OF
APPLEBEES'S RESTAURANT SITE PLAN**

**THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER SZYMANSKI
WHO MOVED ITS ADOPTION. SECONDED BY
PLANNING BOARD MEMBER GOBER, TO WIT:**

**WHEREAS, NEC Transit/William I.I.C, 6495 Transit Road, Bowmansville,
New York, has submitted a site plan prepared by Gershen Associates, P.A., dated November
28, 2001, and received June 5, 2002 for the construction of a 5,000 sq. ft. out-parcel restaurant
(Applebee's) located on Transit Road at William Street in the Town of Lancaster, and**

**WHEREAS, the Planning Board reviewed the plan, and at its meeting June
19, 2002, recommended approval of this project.**

NOW, THEREFORE, BE IT

**RESOLVED, that the Town's Municipal Review Committee reviewed the
Site Plan to determine whether the proposed development is in compliance with the FEIS and
Findings made thereon by the Municipal Review Committee and Town Board with regard to
the buildout of the entire 36 acre site at the northeast corner of William and Transit and has
determined that the site plan is in compliance therewith.**

**The question of the adoption of the foregoing determination of compliance in
regards to the site plan was duly put to a vote on roll call which resulted as follows:**

| | |
|---|-------------------|
| SUPERVISOR GIZA | VOTED YES |
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | ABSTAINED* |
| PLANNING BOARD MEMBER ANDERSON | WAS ABSENT |
| PLANNING BOARD MEMBER GOBER | VOTED YES |
| PLANNING BOARD CHAIRMAN KEYSA | VOTED YES |
| PLANNING BOARD MEMBER KORZENIEWSKI | VOTED YES |
| PLANNING BOARD MEMBER MYSZKA | VOTED YES |
| PLANNING BOARD MEMBER SOCHA | VOTED YES |
| PLANNING BOARD MEMBER SZYMANSKI | VOTED YES |

* Voiced no reason


July 15, 2002

ADJOURNMENT:

**ON MOTION OF PLANNING BOARD CHAIRMAN KEYSA AND
SECONDED BY PLANNING BOARD MEMBER MYSZKA FOR ADJOURNMENT OF
THE MEETING, on roll, which resulted as follows:**

| | |
|---|-------------------|
| SUPERVISOR GIZA | VOTED YES |
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| PLANNING BOARD MEMBER ANDERSON | WAS ABSENT |
| PLANNING BOARD MEMBER GOBER | VOTED YES |
| PLANNING BOARD CHAIRMAN KEYSA | VOTED YES |
| PLANNING BOARD MEMBER KORZENIEWSKI | VOTED YES |
| PLANNING BOARD MEMBER MYSZKA | VOTED YES |
| PLANNING BOARD MEMBER SOCHA | VOTED YES |
| PLANNING BOARD MEMBER SZYMANSKI | VOTED YES |

The meeting was adjourned at 6:43 P.M.

Signed 
Johanna M. Coleman, Town Clerk

Town Board Minutes

**Meeting
No. 25**

Regular Meeting

July 15, 2002

Town Board Minutes

July 15, 2002

Meeting No. 25

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 15th day of July 2002 at 8:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
RICHARD ZARBO, COUNCIL MEMBER*
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
GEORGE PEASE, ASSISTANT BUILDING INSPECTOR
CHRISTINE FUSCO, ASSESSOR
TERRENCE McCracken, GENERAL CREW CHIEF
MARY ANN PERRELLO, DEPUTY TOWN CLERK

* Arrived at 8:38 P.M.

PERSONS ADDRESSING TOWN BOARD:

Polino, Rick, 65 Williamsburg Lane, spoke to the Town Board on the following matter:

- Expressed concerns about road cut onto Williamsburg Lane from the Day Care Center.
- Has concerns about drainage.

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matters:

- Questions regarding the joint application for funding of the transportation study.
- Questions regarding grant of \$500,000 from Erie County for road improvements at Walden Avenue & Pavement Road.
- Comments about Police merger.

Korcz, Richard, 4946 William Street, spoke to the Town Board on the following matter:

- Comments about Mobil gas station at William Street & Aurora Street. Indicated that light shields have helped, but still has concerns about the hours of gas delivery.

Kubicki, Gloria, 15 Maple Drive, spoke to the Town Board on the following matters:

- Questions about the \$500,000 grant and the method of transfer from Erie County to Lancaster Industrial Development Agency to Uniland Development Corp.

Przybycz, Paul, 66 Northwood Drive, spoke to the Town Board on the following matter:

- Questions about conditions of site plan approval as regards to who enforces conditions and who is authorized to change conditions.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matter:

- Comments about freedom of speech.
- While showing the Town Board an aerial photograph of Stony Road and Walden Avenue, made comments about the drainage in the area.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matter:

- Questions about resolution # 3.
- Inquired about when sewer project is expected to begin.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:32 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Zoning Map of the Town of Lancaster as petitioned by Paul McAllister, requesting a rezone from a Residential Commercial Office (RCO) and Agricultural Residential District (AR) to a Multi-Family District Four (MFR4).

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

| NAME | ADDRESS | Proponent/ Opponent/ Comments/Questions |
|---------------------------------|----------------------|---|
| Paul McAllister, the petitioner | 95 Stony Road | Proponent |
| Roy Schneggenburger | 87 Stony Road | Opponent |
| Donald Symer | 610 Columbia Avenue | Questions |
| Jim Brett | 659 Harris Hill Road | Comments |
| Ralph Perry | 59 Stony Road | Opponent |
| Paul Krafft | 4008 Walden Avenue | Opponent |
| Joseph Killian | 4022 Walden Avenue | Opponent |

ON MOTION BY COUNCIL MEMBER MONTOUR, AND SECONDED BY COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE PUBLIC HEARING, on roll, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

The Public Hearing was adjourned at 9:02 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

July 15, 2002

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER RUFFINO. TO WIT:

RESOLVED, that the minutes from the Joint Meeting of the Planning Board and the Town Board held on July 1, 2002 and the Regular Meeting of the Town Board held on July 1, 2002 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | ABSTAINED* |
| COUNCIL MEMBER ZARBO | ABSTAINED** |
| SUPERVISOR GIZA | VOTED YES |

July 15, 2002

* Was absent from referenced meeting.

** No reason offered.

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR. TO WIT:

WHEREAS, the Towns of Amherst, Clarence and Lancaster have completed or are in the process of completing and adopting comprehensive plans, and

WHEREAS, New York State Town Law, Section 272-a requires consistency between comprehensive plans and municipal land use regulations, and

WHEREAS, each community has planned extensive areas for intensive commercial, office, or industrial development in close proximity to the Transit Road/New York State Thruway interchange which, when developed, will generate significant increases in commuter and commercial traffic, and

WHEREAS, the Town of Cheektowaga is experiencing significant commercial and office development in the area southwest of the interchange and exhibits the capability for continued growth in close to proximity to the Buffalo Niagara International Airport, and

WHEREAS, the New York State Thruway is currently studying options for relocating the Williamsville Toll Barrier which may impact traffic flow through the Transit Road/Thruway interchange, and

WHEREAS, it is in the best interest of each community to ensure the safe, adequate, attractive and efficient movement of residents and commerce on the roadways served by the intersection as a means for maintaining their economic vitality and quality of life, and

WHEREAS, the New York State Department of Transportation Mobility Management Bureau, as part of the New York State Quality Communities Initiative, has solicited grant applications from local municipalities for funding to undertake traffic engineering and transportation planning activities designed to enhance or implement local comprehensive planning.

NOW, THEREFORE, BE IT

RESOLVED, the Town of Lancaster hereby authorizes and directs the Town Supervisor to take the necessary actions to communicate the Town's commitment to participate in a joint application with the Towns of Amherst, Clarence and Cheektowaga for New York State Technical Assistance in Traffic Engineering and Transportation Planning for localities funding, in an amount not to exceed \$50,000, and

BE IT FURTHER

RESOLVED, that the Town of Lancaster will provide the required matching funds in an amount not to exceed \$2,500 (per community), and

BE IT FURTHER

RESOLVED, that the Town of Lancaster hereby designates the Town of Clarence as "the applicant" for purposes of this grant application and as project manager for the study to be undertaken pursuant to the grant application, and

BE IT FURTHER

RESOLVED, that the Town of Lancaster, upon receipt of notification of grant award, will designate a "project representative" to provide policy input, information gathering and liaison to the planning process.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

July 15, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town of Lancaster desires to be a member of the Erie County HOME and Community Development Consortium for the years 2003, 2004, and 2005, and

WHEREAS, the Town Board must authorize the chief executive officer of the Town, to wit the Supervisor of the Town of Lancaster, to execute the cooperation agreement with the county, and

WHEREAS, the Town Board deems this to be in the public interest.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster, as chief executive officer of the Town, to execute the cooperation agreement with the County of Erie for the Erie County HOME and Community Development Consortium for the years 2003, 2004, and 2005.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

July 15, 2002

File: ericcountyhmc702

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER ZARBO. TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster has requested the creation of one (1) additional position for the Town of Lancaster, namely Clerk Typist, and

WHEREAS, this request is necessary due to the current Clerk Typist in the Assessor's Office transferring to the Tax Department of the Town Clerk's Office. The position in the Tax Department of the Town Clerk's Office, vacated by the retirement of Kathleen Macko, was formerly an exempt position.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and sign Form PO-17 (New Positions Duties Statement) to create one position of Clerk Typist.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

July 15, 2002

File: RPER.CRE (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO. TO WIT:

WHEREAS, AMF Bowling Centers, Inc., has applied for a license to operate and maintain a Game Room on premises located at 4913 Transit Road, within the Town of Lancaster, pursuant to Chapter 17 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Chief of Police for review and recommendation, and

WHEREAS, the Building Inspector and Chief of Police have completed their review and made a formal, favorable recommendation to the Town Board on the issuance of this license.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to issue a license to AMF Bowling Centers Inc. to operate and maintain a Game Room on premises located at 4913 Transit Road, Lancaster, New York, and

BE IT FURTHER

RESOLVED, that said license shall be issued for the one (1) year period of July 15, 2002 to July 15, 2003 in accordance with the application of the petitioner, as filed in the Town Clerk's Office, accompanied with a license fee of \$600.00 for eight (8) amusement devices.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

July 15, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter dated July 9, 2002, has requested the addition of an additional member to the membership roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Twin District Volunteer Fire Company the following individual:

ADDITION:

Gerald Chudy
125 Spohn Drive
Depew, New York 14043

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

July 15, 2002

File: RFIRE (P4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated July 10, 2002, has requested the addition of the following individual to the membership roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department, the following individual:

ADDITION:

Joe Weisbeck
11436 Broadway
Alden, New York 14004

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

July 15, 2002

File: RFIRE (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, GREENFIELD MANOR, 5953 Broadway, Lancaster, New York, has submitted a Site Plan prepared by Bryon Baker dated November 28, 2001 and received June 7, 2002 for the construction of four 24' by 40' garages on existing blacktop located at Greenfield Manor, 5953 Broadway, in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and at its meeting July 3, 2002, has recommended approval of this project.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by GREENFIELD MANOR, prepared by Bryon Baker dated November 28, 2001 and received June 7, 2002 for the construction of four 24' by 40' garages on existing blacktop located at Greenfield Manor, 5953 Broadway, in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

July 15, 2002

File: rpggreenfield702

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, John Mielko, 60 Summit Street, Lancaster, New York, has petitioned the Town Board of the Town of Lancaster for the rezone of certain property on 60 Summit Street, in the said Town from a Residential District Two (R-2) to Agricultural Residential District (A-R), and

WHEREAS, the petition has been referred to the Planning Board of the Town of Lancaster for review and recommendation, and

WHEREAS, a Public Hearing on the petition for the proposed rezone was held by the Town Board of the Town of Lancaster on the 1st day of July, 2002, pursuant to Notice duly published and posted, and

WHEREAS, full opportunity to be heard was given to all parties in interest, and

WHEREAS, a review of the petition and report of the Planning Board and the evidence adduced at said public hearing and the Master Plan and Zoning Map of the Town of Lancaster, reveals the following facts:

1. That the proposed rezone of the subject premises to a A-R (Agricultural Residential District) would open premises to less desirable uses found within the permitted uses of an A-R zoning classification in relation to the single family residential character of the neighborhood and would not be consistent with the proposed Master Plan and Zoning Map of the Town of Lancaster, nor will it achieve an orderly and balanced development of the Town.

2. That a zoning change of the subject premises to A-R would benefit the property owner and there has been no demonstration that it would benefit the community as a whole and is therefore in the nature of spot zoning.

WHEREAS, the denial of this petition for rezone will not deny the reasonable use of the real property to the owner thereof.

NOW THEREFORE, BE IT

RESOLVED, that based upon the testimony and evidence presented at the Public Hearing and based upon the foregoing findings, the petition of John Mielko be and hereby is denied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

July 15, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, NEC Transit/William LLC, 6495 Transit Road, Bowmansville, New York, has submitted a site plan prepared by Gershen Associates, P.A., dated November 28, 2001, and received June 5, 2002 for the construction of a 5,000 sq. ft. out-parcel restaurant (Applebee's) located on Transit Road at William Street in the Town of Lancaster, and

WHEREAS, the Planning Board reviewed the plan, and at its meeting June 19, 2002, recommended approval of this project, and

WHEREAS, the Town's Municipal Review Committee reviewed the Site Plan to determine whether the proposed development was in compliance with the FEIS and findings made thereon with regard to the buildout of the entire site at the northeast corner of William and Transit and has determined that the site plan is in compliance.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by NEC Transit/William LLC, prepared by Gershen Associates, P.A., dated November 28, 2001, and received June 5, 2002 for the construction of a 5,000 sq. ft. out-parcel restaurant (Applebee's) located on Transit Road at William Street in the Town of Lancaster, contingent on additional landscaping plans to be provided to the Town Board and approval by Crew Chief Terrance McCracken of the Department of Parks and Recreation.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED NO |
| SUPERVISOR GIZA | VOTED YES |

July 15, 2002

File: rspapplebees702

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, the Dog Control Officer of the Town of Lancaster has advised the Town Board that Town residents have requested that he cause the euthanasia and disposal of deceased dogs, and

WHEREAS, the Dog Control Officer incurs a cost to provide such a service and has now asked that the Town Board authorize the DCO to charge the expense for such a service to Town residents who request the service, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to amend Section 13-9 D Fees. (1) and (2) of Chapter 13, "Dogs", of the Code of the Town of Lancaster, as follows:

CHAPTER 13 - DOGS

§13-9. Adoption; disposition of dogs.

.....

D. Fees (1) and (2) are hereby deleted and the following adopted in place thereof:

"§13-9.

D. Fees

- (1) There shall be no fee for the adoption of a dog.
- (2) There shall be no fee for the voluntary surrender of a dog to the Dog Control Officer for purposes of adoption.
3. There shall be a fee for the euthanasia and disposal of a dog which shall be in an amount equal to the cost incurred by the Dog Control Officer in providing this service.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendment to Section 13-9. Adoption; disposition of dogs., (D) Fees. of Chapter 13, entitled: "Dogs" of the Code of the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on 5th day of August, 2002 at 8:30 o'clock P.M., Local Time and that Notice of the time and place of such hearing shall be published on July 18, 2002, in the Lancaster Bee, the official Newspaper of such Town and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

July 15, 2002

File: rdogordinanec702

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
(DOG ORDINANCE)**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 15th day of July, the said Town Board will hold a public hearing on the 5th day of August, 2002, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following amendments to Sections 13-9. Adoption; disposition of dogs. (D) of Chapter 13, entitled "Dogs", of the Code of the Town of Lancaster, Erie County, New York:

CHAPTER 13 - DOGS

§13-9. Adoption; disposition of dogs.

.....

D. Fees (1) and (2) are hereby deleted and the following adopted in place thereof:

"§13-9.

D. Fees

- (1) There shall be no fee for the adoption of a dog.
- (2) There shall be no fee for the voluntary surrender of a dog to the Dog Control Officer for purposes of adoption.
3. There shall be a fee for the euthanasia and disposal of a dog which shall be in an amount equal to the cost incurred by the Dog Control Officer in providing this service.

Full opportunity to be heard will be given to any and all citizens and all parties in interest

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN
Town Clerk**

July 15, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Director of Administration and Finance, to wit:

Claim No. 15126 to Claim No. 15352 Inclusive

Total amount hereby authorized to be paid: \$804,862.67

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

| | |
|--------------------------|------------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | ABSTAINED* |
| SUPERVISOR GIZA | VOTED YES |

* Out of town and did not review audited claims.

July 15, 2002

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTGOMERY, TO WIT:

RESOLVED that the following Building Permit Applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

| | | | |
|------|-----------------------|-------------------|------------------------|
| 9503 | Nigel Enterprises | 16 Parkedge Dr | Er. Dwlg.-Sin. |
| 9504 | Nigel Enterprises | 23 Creekwood Dr | Er. Dwlg.-Sin. |
| 9505 | Arcuri, Felix | 19 Hidden Trl | Er. Pool-Abv Grnd |
| 9506 | M F Speciality | 44 E Drullard Ave | Er. Garage (VL) |
| 9507 | Tom Slivan Pools | 9 Parkside Dr | Er. Pool-Abv Grnd (VL) |
| 9508 | Szczesek, Steven | 9 Parkside Dr | Er. Shed (VL) |
| 9509 | Santoto, Joseph | 23 Fox Trace | Er. Shed |
| 9510 | Expert Fence | 90 Impala Pky | Er. Fence |
| 9511 | Duro-Shed Inc | 90 Impala Pky | Er. Shed |
| 9512 | Hyde, Michael | 17 Village View | Er. Pool-Abv Grnd |
| 9513 | Mormul, Daniel | 1 Fox Hunt Rd | Er. Shed |
| 9514 | Duro-Shed Inc | 59 Field Ave | Er. Shed (VL) |
| 9515 | Sunshine Pools | 50 Glendale Dr | Er. Pool-Abv Grnd |
| 9516 | Wyse, David | 33 Stone Hedge Dr | Er. Shed |
| 9517 | Gallo, Gianfranco | 57 Sussex Ln | Er. Shed |
| 9518 | Custom Patio Rooms | 19 Redlein Dr | Er. Res. Add. |
| 9519 | Essex Homes of WNY | 11 Fox Trace | Er. Dwlg.-Sin. |
| 9520 | Leisurewood Design | 11 Partridge Walk | Er. Deck |
| 9521 | Majestic Pools | 58 Old Post Rd | Er. Fence |
| 9522 | Majestic Pools Inc | 58 Old Post Rd | Er. Pool-In Grnd |
| 9523 | Matthew Hydock Inc | 184 Stony Rd | Er. Res. Add. |
| 9524 | Castricone, Paul | 213 Nathan's Trl | Er. Shed |
| 9525 | Lancaster Airport Inc | 4343 Walden Ave | Er. Sign |
| 9526 | Dean Smith Plumbing | 63 W Drullard Ave | Repair Sewer (VL) |
| 9527 | Misiak, George | 3531 Walden Ave | Er. Fence (VL) |
| 9528 | Patio Enclosures | 4 Hampton Ct | Er. Res. Add. |
| 9529 | Phillips, Scott | 145 Brunck Rd | Er. Fence |
| 9530 | Phillips, Scott | 145 Brunck Rd | Er. Pool-In Grnd |
| 9531 | Iroquois Fence | 21 Sussex Ln | Er. Fence |
| 9532 | Krebs, Jeanne | 17 Walter St | Er. Garage (VL) |
| 9533 | Conklin, Richard | 5461 Broadway | Er. Shed (VL) |

| | | | | |
|------|-----------------------|----------------------|------------------|------|
| 9534 | Iroquois Fence | 27 Windcroft Ln | Er. Fence | |
| 9535 | Glichowski, Adam | 6423 Genesee St | Er. Res. Alt. | |
| 9536 | Andrzejewski, Sherry | 5726 Broadway | Er. Res. Add. | |
| 9537 | Lukowski, Donald | 129 Brunck Rd | Er. Fence | |
| 9538 | Sun Enterprises | 270 Aurora St | Er. Shed | (VL) |
| 9539 | Luther, Donald | 44 Summit St | Er. Pool-Abv Gmd | |
| 9540 | Forbes Homes | 31 Windcroft Ln | Er. Dwlg.-Sin. | |
| 9541 | Duro-Shed Inc | 48 Sussex Ln | Er. Shed | |
| 9542 | Duro-Shed Inc | 4791 William St | Er. Shed | |
| 9543 | Meiler, George | 68 Wilkshire Pl | Er. Fence | (VL) |
| 9544 | Buffalo Pools | 266 Warner Rd | Er. Pool-Abv Gmd | |
| 9545 | Duro-Shed Inc | 3 Devonshire Ln | Er. Shed | |
| 9546 | Leisurewood Design | 210 Brunck Rd | Er. Deck | |
| 9547 | Ostroff, James | 48 Stutzman Rd | Dem. Barn | |
| 9548 | Bob's Custom Remodel | 10 Huntley Pl | Er. Res. Add. | (VL) |
| 9549 | O'Bara Builders | 23 Fieldstone Ln | Er. Deck | |
| 9550 | Christopher, John | 24 Sagebrush Ln | Er. Dwlg.-Sin. | |
| 9551 | Dwyer, Dennis | 5219 Genesee St | Er. Deck | |
| 9552 | Aquaman Swim Pools | 15 Gordon Ave | Er. Pool-Abv Gmd | (VL) |
| 9553 | Duro-Shed Inc | 49 Gale Dr | Er. Shed | |
| 9554 | Duro-Shed Inc | 11 Schiffler Ct | Er. Shed | |
| 9555 | Majestic Pools | 58 Southpoint Dr | Er. Fence | |
| 9556 | Majestic Pools | 58 Southpoint Dr | Er. Pool-In Gmd | |
| 9557 | Iroquois Fence Co | 3639 Bowen Rd | Er. Fence | |
| 9558 | Klawon, David | 50 Old Post Rd | Er. Fence | |
| 9559 | Swimco Mfg | 22 Fox Trace | Er. Pool-In Gmd | |
| 9560 | American Fence Co | 22 Fox Trace | Er. Fence | |
| 9561 | LD Construction | 11 Stream View Ln | Er. Res. Add. | |
| 9562 | Cera, Randy | 1165 Penora St | Er. Shed | |
| 9563 | Holtz, Arthur | 88 Carter St | Er. Res. Alt. | (VL) |
| 9564 | Duro-Shed Inc | 3 Ann Marie Dr | Er. Shed | |
| 9565 | Buffalo Pools Inc | 11 Butler Dr | Er. Pool-Abv Gmd | |
| 9566 | J Gun Enterprises Inc | 13 Katelyn Ln | Er. Pool-Abv Gmd | |
| 9567 | Bowles, Patricia | 19 Parkedge Dr | Er. Deck | |
| 9568 | Duro-Shed Inc | 581 Ransom Rd | Er. Shed | |
| 9569 | Schmitt, Judy | 581 Ransom Rd | Er. Deck | |
| 9570 | Leisurewood Design | 16 Trentwood Trl | Er. Deck | |
| 9571 | Moore, Kevin | 2 Overton Ct | Er. Shed | |
| 9572 | Dolgos, Jeffrey | 21 Parkedge Dr | Er. Fence | |
| 9573 | Ferraraccio, Michael | 126 Pleasant Ave | Dem. Garage | (VL) |
| 9574 | Ferraraccio, Michael | 126 Pleasant Ave | Er. Garage | (VL) |
| 9575 | DeCarlo, Frank | 204 Pleasant View Dr | Er. Res. Alt. | |
| 9576 | Kempke, Michael | 61 Waltham Ave | Er. Shed | (VL) |
| 9577 | Haag, Chistopher | 241 Westwood Rd | Er. Res. Alt. | |

| | | | | |
|------|------------------------|--------------------|-------------------|------|
| 9578 | Crist Contracting | 51 Village View | Er. Deck | |
| 9579 | Duro-Shed Inc | 27 Katelyn Ln | Er. Shed | |
| 9580 | Marrano/Marc Equity | 27 Trentwood Trl N | Er. Dwlg.-Sin. | |
| 9581 | City Fence Inc | 22 Country Pl | Er. Fence | |
| 9582 | Good Neighbor Fence Co | 25 Country Pl | Er. Fence | |
| 9583 | Vickerd, Don | 36 Michael Anthony | Er. Pool-Abv Grnd | |
| 9584 | O'Malley, Christopher | 72 Christen Ct | Er. Fence | (VL) |
| 9585 | Harris, Ramon | 32 Chestnut Comer | Er. Shed | |
| 9586 | Buffalo Pools | 19 Holland Ave | Er. Pool-Abv Grnd | (VL) |
| 9587 | Biclanin, Raymond | 19 Holland Ave | Er. Deck | (VL) |

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

July 15, 2002

File:Rbldg2

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution.

Council Member Montour moved to suspend the necessary rules for immediate consideration of the following resolution, seconded by Council Member Stempniak, on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

SUSPENSION GRANTED:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the County of Erie is providing a grant to the Town of Lancaster in the sum of \$500,000. which is to be used for the purpose of undertaking road improvements at the intersection of Pavement Road and Walden Avenue in the Town of Lancaster, and

WHEREAS, the County has provided an agreement to the Town which sets forth the terms and conditions of the Community Development Block Grant funding to be provided for the improvements, and

WHEREAS, the Town Board deems it in the public interest for the Town to enter into an agreement with the County of Erie to obtain the grant funds as beforementioned to assist in funding the beforementioned road improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an agreement with the County of Erie by which the County will then provide Community Development Block grant funds to the Town of Lancaster for the purpose of road improvements at the intersection of Pavement Road and Walden Avenue.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

July 15, 2002

File: improvementswaldenpavement702

RESOLUTION NO. 15 - MEETING OF JULY 15, 2002

Zarbo/ _____

Approve Resolution Request Town Of Lancaster Residents Re:
Temporary & Voluntary Ban On Lawn Watering & Car Washing
[Ban]

At the request of Council Member Zarbo, the resolution was withdrawn.

RESOLUTION NO. 16 - MEETING OF JULY 15, 2002

Council Member Zarbo requested a suspension of the necessary rules for immediate consideration of the following resolution.

Council Member Zarbo moved to suspend the necessary rules for immediate consideration of the following resolution. The suspension of rules failed due to a lack of a second of the motion.

Zarbo/ _____

Rescind Resolution # 13 From Town Board Meeting Held July 1, 2002.

COMMUNICATIONS & REPORTS:

- 690. Erie County Commissioner of Public Works to Town Board -
Notice of Ransom Road bridge closing between Simme Road and William-Kidder Road over Cayuga Creek effective July 8, 2002 through November 30, 2002 for bridge reconstruction. DISPOSITION = Received and Filed
- 691. Fox & Company LLP to Supervisor -
Enclosure of Audited Financial Statements for year ended December 31, 2001. DISPOSITION = Received and Filed
- 692. Jeremy A. Colby to Town Board -
Suggestion for a town-operated dump for lawn clippings. DISPOSITION = Received and Filed
- 693. Town Clerk to Town Board -
Transmittal of monthly report for June, 2002. DISPOSITION = Received and Filed
- 694. Town Clerk to Town Board -
Conveyance of final settlement payment for 2002 County/Town Tax Warrant. DISPOSITION = Received and Filed
- 695. Police Chief to Town Clerk -
Notification of approval for renewal of AMF Bowling Centers Game Room License. DISPOSITION = Resolution 7/15/02
- 696. John Mielko to Supervisor -
Transmittal of petitions in approval of 60 Summit Street rezone request. DISPOSITION = Resolution 7/15/02
- 697. Erie County Commissioner of Public Works to Town Board -
Notice of Ransom Road bridge closing between Simme Road and William-Kidder Road over Cayuga Creek effective July 8, 2002 through November 30, 2002 for bridge reconstruction. DISPOSITION = Received and Filed
- 698. Association of Towns & NY Planning Federation -
Notice of Conference to be held in Pittsford, New York August 8, 2002. DISPOSITION = Received and Filed
- 699. Greater Buffalo-Niagara Regional Transportation Council to Supervisor -
Notification of meeting to be held July 10, 2002. DISPOSITION = Received and Filed
- 700. State of New York Public Service Commission to Supervisor -
Memorandum & Resolution regarding revisions to 16 NYCRR Part 753 - Protection of Underground Facilities. DISPOSITION = Received and Filed
- 701. Erie County Department of Environment & Planning to Supervisor -
Transmittal of materials required to continue qualification of the Erie County HOME and Community Development Consortium for 2003-2005. DISPOSITION = Resolution 7/15/02
- 702. Adelphia to Supervisor -
Notification of continuation of business, including cable tv and internet access, during reorganization under Chapter 11 of the U.S. Bankruptcy Code. DISPOSITION = Received and Filed
- 703. Adelphia to Supervisor -
Update on bankruptcy proceedings regarding payment of franchise fees. DISPOSITION = Received and Filed
- 704. Leslie Climenhaga to Supervisor -
Concerns regarding future plans for her neighborhood. DISPOSITION = Received and Filed

705. Community Development Committee to Supervisor -
Transmittal of 2002 slate of appointments to the Project Selection Committee.
DISPOSITION = Received and Filed
706. Erie County Department of Environment & Planning to Supervisor -
Conveyance of procedures for NEST Pilot Project to recycle household rechargeable
batteries. DISPOSITION = Received and Filed
707. Scott Aviation Manufacturing Manager to Daniel Bunk -
Expresses concern that the addition of fill near the drainage ditch on Court Street
may impede the flow of storm water. DISPOSITION = Received and Filed
708. Ted Kulikowski to Supervisor -
Expresses opposition to rezone petition of John Mielko, 60 Summit Street.
DISPOSITION = Planning Committee
709. Village of Lancaster to Town Board -
Transmittal of minutes of meeting held June 24, 2002. DISPOSITION = Received
and Filed
710. Adelphia to Town Clerk -
Letter of introduction of Jeanne M. Coleman as General Manager of the Adelphia
cable system. DISPOSITION = Received and Filed
711. Empire State Development to Town Clerk -
Enclosed copy of the General Project Plan and findings for the Scott Aviation -
Empire State Economic Development Fund General Development Financing Capital
Grant Project. DISPOSITION = Received and Filed
712. Adelphia to Town Board -
Update on developments regarding Adelphia Communications Corporation.
DISPOSITION = Received and Filed
713. Planning Board Chairman to Planning Board Members, Town Board, Town Engineer,
Town Attorney, Building Inspector -
Draft copy of Planning Board minutes of meeting held July 3, 2002. DISPOSITION
= Received and Filed
714. Planning Board to Town Board -
Recommendation to approve site plan of Greenfield Manor, 5953 Broadway.
DISPOSITION = Resolution 7/15/02
715. Roy Schneggenburger to Town Clerk -
FOIL request for correspondence regarding letter from FEMA to Roy
Schneggenburger dated May 14, 2002. DISPOSITION = Town Clerk
716. Town Attorney to Town Board, Planning Board, Town Clerk, Building Inspector, Town
Engineer -
Notice of SEQR meeting, July 15, 2002 at 6:30 PM. DISPOSITION = Received
and Filed
717. Town Clerk to Various News Media -
Notice to media of SEQR meeting, July 15, 2002 at 6:30 PM. DISPOSITION =
Received and Filed
718. Mr. and Mrs. Richard Brzostowski to Town Board -
Request not to approve rezone petition of 59, 63, 67 Belmont Street.
DISPOSITION = Resolution 7/15/02
719. Supervisor to Town Clerk -
Request for resolution authorizing Supervisor to submit PO-17 form to Erie County
Department of Personnel. DISPOSITION = Resolution 7/15/02
720. Twin District Fire Company to Town Board -
Request for change in membership roster. DISPOSITION = Resolution 7/15/02

721. Town Line Volunteer Fire Department to Town Board -
Request for change in membership roster. DISPOSITION = Resolution 7/15/02
722. Building & Zoning Inspector to Town Clerk -
Transmittal of approval for game room license. DISPOSITION = Resolution 7/15/02
723. NYS Department of Environmental Conservation to Town Attorney -
Designation of SEQR Lead Agency to the Town for attorney's office on Broadway.
DISPOSITION = Received and Filed
724. Town Attorney to Town Board, Planning Board, Town Clerk, Building Inspector, Town Engineer -
Notification of change in schedule for SEQR meeting to be held on July 15, 2002.
DISPOSITION = Received and Filed
725. NYS Department of Transportation to Town Attorney -
Comments regarding site plan for Paul McAllister. DISPOSITION = Planning Committee
726. NYS Department of Environmental Conservation to Town Attorney -
Comments after review of proposed multiple dwelling units project at 4014 and 4018 Walden Avenue. DISPOSITION = Planning Committee
727. NYS Department of Transportation to Town Attorney -
Comments after review of Environmental Assessment Form (EAF) for proposed law office on Broadway. DISPOSITION = Planning Committee
728. Erie County Legislature to Supervisor -
Request resolution regarding certain sections of the agricultural district law that can affect agricultural property owners. DISPOSITION = Town Attorney
729. Erie County Department of Environment & Planning to Supervisor -
Transmittal of draft contract for highway improvements at Pavement Road and Walden Avenue. DISPOSITION = Resolution 7/15/02
730. Lancaster Area Chamber of Commerce to Town Clerk -
Conveyance of Broadway construction schedule update. DISPOSITION = Received and Filed
731. The State Education Department to Town Clerk -
Notification of award for Local Government Records Management Improvement Fund grant. DISPOSITION = Town Clerk

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY
COUNCIL MEMBER STEMPNIAK, on roll call, which resulted as follows:**

| | |
|--------------------------|-----------|
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

The meeting was adjourned at 10:20 P.M.

Signed 
Johanna M. Coleman, Town Clerk